

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>  Debtors. <sup>1</sup>	PROMESA Title III  Case No. 17 BK 3283-LTS (Jointly Administered)
In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO  as representative of  PUERTO RICO ELECTRIC POWER AUTHORITY,  Debtor.	PROMESA Title III  Case No. 17 BK 4780-LTS
OFFICIAL COMMITTEE OF UNSECURED CREDITORS,  Movant,  v.  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO	

**LIMITED JOINDER OF SREAEE TO THE MOTION OF OFFICIAL COMMITTEE OF  
UNSECURED CREDITORS TO TERMINATE BANKRUPTCY RULE 9019 MOTION AND  
REQUEST TO CONTINUE THE PROCEEDINGS OF ADVERSARY PROCEEDING NO.  
19-00405.**

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

**COME NOW**, Sistema de Retiro de los Empleados de la Autoridad de Energía Eléctrica (“SREAAE”) through the undersigned counsel and hereby submit a limited joinder to the Official Committee of Unsecured Creditors’ *Motion of Official Committee of Unsecured Creditors to Terminate Bankruptcy Rule 9019 Motion* (“Motion to Terminate”) at Docket Entry No. 2144 in Case No. 17-04780-LTS.

1. On July 31, 2020, the Government Parties filed the most recent status report regarding the 9019 Motion. In the status report, the Government Parties offered to file another status report two months from then, by September 25, 2020, at which “point the Government Parties are *hopeful* that they can report on developments regarding their evaluation of the RSA and 9019 Motion.”<sup>2</sup>
2. On August 5, 2020, the Court entered an order, granting the relief requested in the Status Report and instructing the Government Parties to “file a further status report providing an update on PREPA’s financial condition and proposing next steps with respect to the 9019 Motion. . . on or before September 25, 2020.”<sup>3</sup>
3. On August 18, 2020, the Committee filed the Motion to Terminate, which seeks to dismiss or terminate the 9019 Motion for lack of subject matter jurisdiction.<sup>4</sup>
4. On the other hand, on October 30, 2019 SREAAE filed an Amended Complaint in Adv. Proc. Case No. 19-00405. *See* Docket No. 25 in Adv. Proc. 19-00405.

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<sup>2</sup> July 31, 2020 Status Report, at ¶ 27 (emphasis added).

<sup>3</sup> Case No. 17-BK-4780-LTS, Dkt. No. 2120.

<sup>4</sup> The Committee also requested, alternatively, that based on the exercise of the Court’s discretion, to permit the Committee to pursue its October 30, 2019 objection to the PREPA bondholders’ claims under section 502 of the Bankruptcy Code.

5. On November 13, 2019, the Defendants in the Adversary Proceeding, Government Parties and the Bondholders, filed separate Motions to Dismiss the Amended Complaint (“Motions to Dismiss”). *See* Docket Nos. 35, 36 in Adv. Proc. 19-00405.
6. After several requests to adjourn deadlines and for extension of time concerning the 9019 Motion Hearing as well as the Hearing on the Motions to Dismiss, the Court rescheduled the hearing on the Motions to Dismiss the Amended Complaint for June 3, 2020. *See* Docket No. 60 in Adv. Proc. No. 19-00405.
7. On May 22, 2020, the Court entered an Order further adjourning deadlines applicable to the 9019 Motion and adjourning the June 3, 2020 hearing on the Government Parties’ and the Bondholders’ Motions to Dismiss without setting a date. *See* Docket No. 64 in Adv. Proc. No. 19-00405.
8. SREAEE hereby joins and incorporate the Committee’s procedural and substantive arguments submitted in Part I of the Motion to Terminate.
9. For the above stated, SREAEE hereby submits this Limited Joinder to the Committee’s Motion to Terminate at Docket No. 2144 in Case No. 17-04780.
10. Furthermore, if the Court grants the Motion to Terminate, SREAEE requests to continue the proceedings on its Adversary Proceeding Case No. 19-00405.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the above for all relevant purposes and grant the relief requested.

In Ponce, Puerto Rico, this 1<sup>st</sup> day of September 2020.

Respectfully submitted,



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**I HEREBY CERTIFY** that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all participants and Standard Parties.

/s/Rolando Emmanuelli Jiménez  
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